

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 37180 RACH/PCT/PTO 17 APR 1997
08/817507INTERNATIONAL APPLICATION NO.
PCT/JP95/02169INTERNATIONAL FILING DATE
October 20, 1995PRIORITY DATE CLAIMED
October 21, 1994

TITLE OF INVENTION

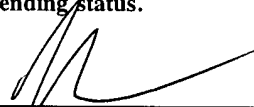
PHARMACEUTICAL COMPOSITION FOR TREATMENT OF DISEASES CAUSED BY IL-6 PRODUCTION

APPLICANT(S) FOR DO/EO/US

Tadamitsu KISHIMOTO, Asao KATSUME and Hiroyuki SAITO

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
 3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
 4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
 5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
 6. ☒ A translation of the International Application into English (35 U.S.C. 371 (c)(2)).
 7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
 8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
 9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern other document(s) or information included:
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
 12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
 13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
 14. ☐ A substitute specification.
 15. ☐ A change of power of attorney and/or address letter.
 16. ☐ Other items or information:

U.S. APPLICATION NO. (If known, see 37 CFR 1.50)		INTERNATIONAL APPLICATION NO. PCT/JP95/02169		ATTORNEY'S DOCKET NUMBER 53466/201	
17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO \$910.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) \$700.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$770.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1,040.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$96.00 ENTER APPROPRIATE BASIC FEE AMOUNT = \$				CALCULATIONS PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e))				\$ 0.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	14 -20 =	0	X \$22.00	\$ 0.00	
Independent Claims	1 -3 =	0	X \$80.00	\$ 0.00	
Multiple dependent claim(s) (if applicable)			+ \$260.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 910.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$ 0.00	
SUBTOTAL =				\$ 910.00	
Processing fee of \$130.00 for furnishing English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+ \$ 0.00	
TOTAL NATIONAL FEE =				\$ 910.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 40.00	
TOTAL FEES ENCLOSED =				\$ 950.00	
				Amount to be:	
				refunded \$	
				charged \$	
a. <input checked="" type="checkbox"/> A check in the amount of <u>\$950.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of \$ _____ to the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Foley & Lardner 3000 K Street, N.W., Suite 500 P.O. Box 25696 Washington, D.C. 20007-8696			 _____ SIGNATURE <u>Harold C. Wegner</u> _____ NAME <u>25,258</u> _____ REGISTRATION NUMBER		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 053466/201

In re patent application of

Tadamitsu KISHIMOTO *et al.*

Group Art Unit: 1642

Serial No. 08/817,507

Examiner: J. Reeves

Filed: April 17, 1997

For: PHARMACEUTICAL COMPOSITION FOR TREATMENT OF
DISEASES CAUSED IL-6 PRODUCTION

DECLARATION UNDER 35 U.S.C. § 1.132


The undersigned inventor declares that he made the deposit of the hybridoma PM-1 at the National Institute of Bioscience and Human-Technology, Agency of Industrial Science and Technology, Ministry of International Trade and Industry, 1-3, Higashi 1-chome, Tsukuba-shi, Ibaraki-ken 305, Japan, a Budapest Treaty recognized depository which affords permanence of the deposit, as FERM BP-2998 on July 10, 1990. A copy of the deposit receipt is enclosed for convenience.

Applicant states that the deposited hybridoma PM-1 is the hybridoma which is specifically identified in this application as filed. Applicant further provides that during the pendency of the patent application access to the deposited hybridoma will be allowed to those persons properly designated by the Commissioner of Patents and Trademarks; that the deposited hybridoma will be replaced should it die or be destroyed during the enforceable life of any patent issued out of this patent application, for five years after the last request for a sample of the deposited hybridoma or for thirty years, whichever is longer; that upon issuance of a patent, applicant will irrevocably remove all restrictions to access to the hybridoma for the duration of the deposit; and that maintenance charges for the duration of the deposit will be paid.

All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true; further, these statements are made with the

knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the instant patent application or any patent issuing thereon.

June 14, 1999
Date


Dr. Tadimitsu Kishimoto